

Senate Bill No. 464

CHAPTER 413

An act to add Section 56341.2 to the Education Code, relating to special education.

[Approved by Governor September 16, 2003. Filed
with Secretary of State September 17, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

SB 464, Murray. Special education: individualized education program meetings: group home representative.

Existing law requires a school district, special education local plan area, or county office of education to conduct meetings, through an individualized education program team, as specified, for the purposes of developing, reviewing, and revising the individualized education program of an individual with exceptional needs. Existing law also provides for the placement in foster care of minors who are declared dependent children of the court or wards of the court by a juvenile court.

This bill would require a school district, special education local plan area, or county office of education to invite to the individualized education program team meetings a representative of the group home in those cases in which a pupil with exceptional needs has been placed in a group home by a juvenile court, as specified. To the extent local educational agencies would be required to perform additional duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 56341.2 is added to the Education Code, to read:

56341.2. (a) In the case of a pupil with exceptional needs who has been placed in a group home, as defined in subdivision (g) of Section 80001 of Title 22 of the California Code of Regulations, by the juvenile court pursuant to Section 300, 601, or 602 of the Welfare and Institutions Code, the district, special education local plan area, or county office shall invite to the individualized education program team meetings a representative of the group home.

(b) This section shall not be construed to delay the individualized education program process or to change the individualized education program team requirements of subdivision (b) of Section 56341.

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

